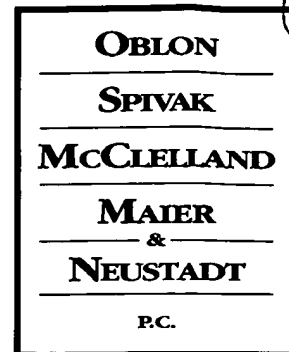




HH

Section 3



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

ATTORNEYS AT LAW

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Inventor: Lan CHEN, et al.  
Serial No: 10/020,926  
Filed: December 19, 2001  
For: RADIO RESOURCE ALLOCATION METHOD AND BASE  
STATION USING THE SAME

SIR:

Attached hereto for filing are the following papers:

Notice to File Missing Parts  
Filing of Declaration/Declaration

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Docket No. 217392US2

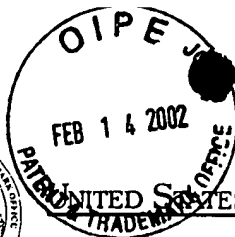
*Joseph A. Scafetta Jr.*  
Marvin J. Spivak  
Registration No. 24,913



22850

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 12/01)

**Joseph A. Scafetta, Jr.**  
**Registration No. 26,803**



(3)

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/020,926	12/19/2001	Lan Chen	217392US2

CONFIRMATION NO. 8879

22850  
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
FOURTH FLOOR  
1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

## FORMALITIES LETTER



\*OC000000007304055\*

Date Mailed: 01/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

---

*A copy of this notice **MUST** be returned with the reply.*

---

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Docket No. 217392US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Lan CHEN, et al.

SERIAL NUMBER: 10/020,926

ATTN: APPLICATION BRANCH

FILING DATE: December 19, 2001

FOR: RADIO SOURCE ALLOCATION METHOD AND BASE STATION USING THE SAME



**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated January 14, 2002, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Marvin J. Spivak  
Attorney of Record  
Registration No. 24,913



**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/98)

H:\Declarations\217392 Dec.wpd

**Joseph A. Scafetta, Jr.**  
**Registration No. 26,803**